

March 7, 2001

**VIA FACSIMILE &  
OVERNIGHT MAIL**

Mr. Jeffrey A. Masoner  
Vice President - Interconnection Services  
Verizon  
2107 Wilson Blvd., 11<sup>th</sup> Floor  
Arlington, Virginia 22201

**Re: Network Plus, Inc. Interconnection Agreement with Verizon New England  
Inc. for the State of Maine**

Dear Mr. Masoner:

Enclosed please find two partially executed copies of the signature page to the letter adopting the Vermont interconnection agreement between Global NAPS and Verizon New England Inc. ("GNAPs Agreement") for the provision of service by Network Plus, Inc. ("Network Plus") in the Verizon territory in the State of Maine. Network Plus has signed the adoption letter prepared by Verizon to signify its agreement *only* with respect to points A, B, and C on page 2 of the Verizon letter dated January 15, 2001. We understand the balance of the letter to be simply a statement of Verizon's position on various issues. Network Plus does not agree with, and does not consider itself bound by, Verizon's statement of position, although we do agree that neither party shall be deemed to have waived any rights by signing the adoption letter.

Network Plus disagrees with Verizon's positions regarding, *inter alia*, the interpretation of paragraph 32 of the Bell Atlantic/GTE Merger Conditions ("*Merger Conditions*"), released by the Federal Communications Commission ("FCC") on June 16, 2000 in CC Docket No. 98-184. Verizon's position is not only at direct odds with the *Merger Conditions*, but it expressly contradicts a recent letter released by Carol E. Matthey, Deputy Chief of the FCC's Common Carrier Bureau. On or about January 3, 2001, a copy of this letter was forwarded to your attention. The FCC letter clarified the meaning of paragraph 32 of the *Merger Conditions*. Specifically, the FCC confirmed that the most-favored nation ("MFN") provisions of the Bell Atlantic/GTE Merger Order "apply to the entire interconnection agreement[.]"<sup>1</sup> "The *Merger*

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<sup>1</sup> *Bell Atlantic/GTE Merger Order, CC Docket No. 98-184, ASD File No. 00-30, Federal Communications Commission, DA 00-2890 (December 22, 2000) at 1.*

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*Conditions* allow competitive local exchange carriers (“CLECs”) to import entire interconnection agreements across state lines.”<sup>2</sup> The letter goes on to conclude that “Verizon is incorrect in asserting that the reference to section 251(c) limits a CLEC’s opt-in rights under the MFN provisions of the *Merger Conditions*.”<sup>3</sup> The letter further warns against any action by Verizon to unilaterally limit a CLEC’s options under the MFN provisions. Pursuant to the FCC’s *Merger Conditions*, and in light of the FCC’s clarification of Verizon’s obligations under the *Merger Conditions*, Network Plus expects Verizon to adhere to the GNAPS agreement in the State of Maine.

In addition, pursuant to our January 5, 2001 letter and subsequent discussions with Mr. Steve Hughes of Verizon, it is the understanding of Network Plus that this agreement will be amended to include provisions pursuant to which Verizon will provide UNE-P, collocation and line sharing consistent with the FCC's most recent orders. We eagerly await receipt of this amendment.

Once Verizon has executed the enclosed letters, we would appreciate the return of one original to us and the filing of the other with the state commission as soon as possible. Also, please copy me on your transmittal letter to the state commission when you file the letter. Thank you for your assistance.

Very truly yours,

Kathleen L. Greenan  
Counsel for Network Plus, Inc.

cc: Lisa Korner, Network Plus, Inc.  
John Muckelbauer, Esq.

2001-233NPltr

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<sup>2</sup> *Id.* at 2.

<sup>3</sup> *Id.*